

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Capitol Records, Inc., <i>et al.</i> ,	:	
Plaintiffs	:	Civil Action 2:05-cv-275
v.	:	Judge Marbley
Charlie Kao,	:	Magistrate Judge Abel
Defendant	:	

**ORDER**

Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act, 17 U.S.C. § 504(c)(1). This matter is before the Court on plaintiffs' October 25, 2005 motion for default judgment (doc. 13). Defendant Charlie Kao was served with the summons and complaint on April 11, 2005. Defendant has failed to file an answer or otherwise respond to the complaint. The Clerk of Court entered default on August 22, 2005. Defendant Kao has not filed objections to Magistrate Judge Abel's November 14, 2005 Report and Recommendation that plaintiffs' motion for default judgment be granted.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **GRANTS** plaintiffs' motion for default judgment.

The Clerk of Court is **DIRECTED** to enter **JUDGMENT** for plaintiffs and against defendant Charlie Kao in the amount of \$3,750.00 in statutory damages and \$464.42 for Plaintiffs' costs. . Plaintiffs' request for an **INJUNCTION** is **GRANTED**. This action is

hereby **DISMISSED**.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge